



**US Army Corps
of Engineers.**

Nashville District

Public Notice

Public Notice No. 05-21

Date: May 3, 2005

Application No. 200401312

Please address all comments to:
Regulatory Branch, 3701 Bell Road, Nashville, TN 37214-2660

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
AND
STATE OF TENNESSEE

SUBJECT: Proposed Community Dock, Dredging, Raw Water Intakes, and Bank Stabilization
Between Mile 627.6 and 628.6, Left Bank, Tennessee River

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: The LashBrooke Corporation
235 South Old Glory Road
Maryville, Tennessee 37801

LOCATION: Between Mile 627.6 and 628.6, left bank, Tennessee River (Fort Loudoun Lake), in the Jackson Bend area, Near Louisville, Blount County, Tennessee, USGS Louisville-TN 7.5 Minute Series Quadrangle Map, Lat 35° 51' 09", Long 84° 02' 08". See Exhibits A and B.

DESCRIPTION: The applicant plans a 120-lot residential development (LashBrooke Subdivision) to be located on approximately (approx) 200 acres of land (Exhibit C). A community boat dock, dredging, two raw water intakes, and bank stabilization activities are planned.

a. Community Boat Dock. A floating covered dock would be built measuring 70' wide by 175' long and containing 10 @25'x30' slips (space for 20 boats). The access ramp would be 10' wide, and the slip fingers would measure 5' in width. The dock would have galvanized steel framing, treated wood or wood-polymer decking, and polyethylene-encased flotation. A canvas roof would be provided. The dock would be located at Tennessee River Mile (TRM) 627.8L.

b. Dredging. This activity consists of the removal of approximately (approx) 3,400 cubic yards (CY) of bottom material from an area measuring 100' wide by 225' long at the location of the proposed community dock. The area would be deepened to bottom Elevation (El) 804, i.e., 9' below Fort Loudoun Lake's normal summer pool (NSP), El. 813. The channel bottom would be sloped to prevent water stagnation. A 30' deep undisturbed buffer zone would be left between the edge of the channel and NSP shoreline. The spoil would be placed above El 822 on the property where it would be properly contained and stabilized to prevent reentry into the waterway.

c. Raw Water Intakes. Two @ 2" diameter raw water intakes would be installed to provide for the irrigation needs during the summer months. The intakes would have 3 HP pumps rated at 175 GPM. The first intake would be anchored under the community dock access walkway. Toward the end of the dock, the pipe will turn down to achieve the proper submergence. The second intake would be installed at TRM 628.2L. This intake would extend lakeward approx. 120' from the NSP shoreline and would be installed in accordance with the enclosed Exhibit I.

d. Bank Stabilization. Approx. 2,407 CY of riprap would be installed below NSP to stabilize approx. 5,200' of eroding shoreline. The top of the protection would be at El. 815 and the bottom at El. 810. For riprap locations, see Exhibit C.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places (NRHP) has been consulted and no listed or eligible properties are known which would be affected by the proposed work. A Phase I archaeological survey of the entire shoreline and two public use lots over which the Tennessee Valley Authority (TVA) has certain land rights was conducted in January and February 2005. The report concluded that a portion of previously recorded Site 40BT170 has been substantially disturbed by erosion and deep plowing. Therefore, the portion of the site tested was not considered eligible for inclusion in the NRHP. In addition, a new Phase I study for the remaining back-lying property is being finalized. Upon completion of the survey, copies of the report will be coordinated with

the office of the State Historic Preservation Officer (SHPO) for comments. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination, and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

b. Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before June 2, 2005, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: J. Ruben Hernandez, at the above address, telephone (615) 369-7519. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Little Tennessee Watershed Team, Attn: Ms. Janet Duffey, 260 Interchange Park Drive (LCB 1A-LCT), Lenoir City, Tennessee 37772. Please send your comments relative to the §401 Water Quality Certification to Mr. Dan Eagar, Tennessee Division of Water Pollution Control, 7th Floor, L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1534, telephone (615) 532-0625.

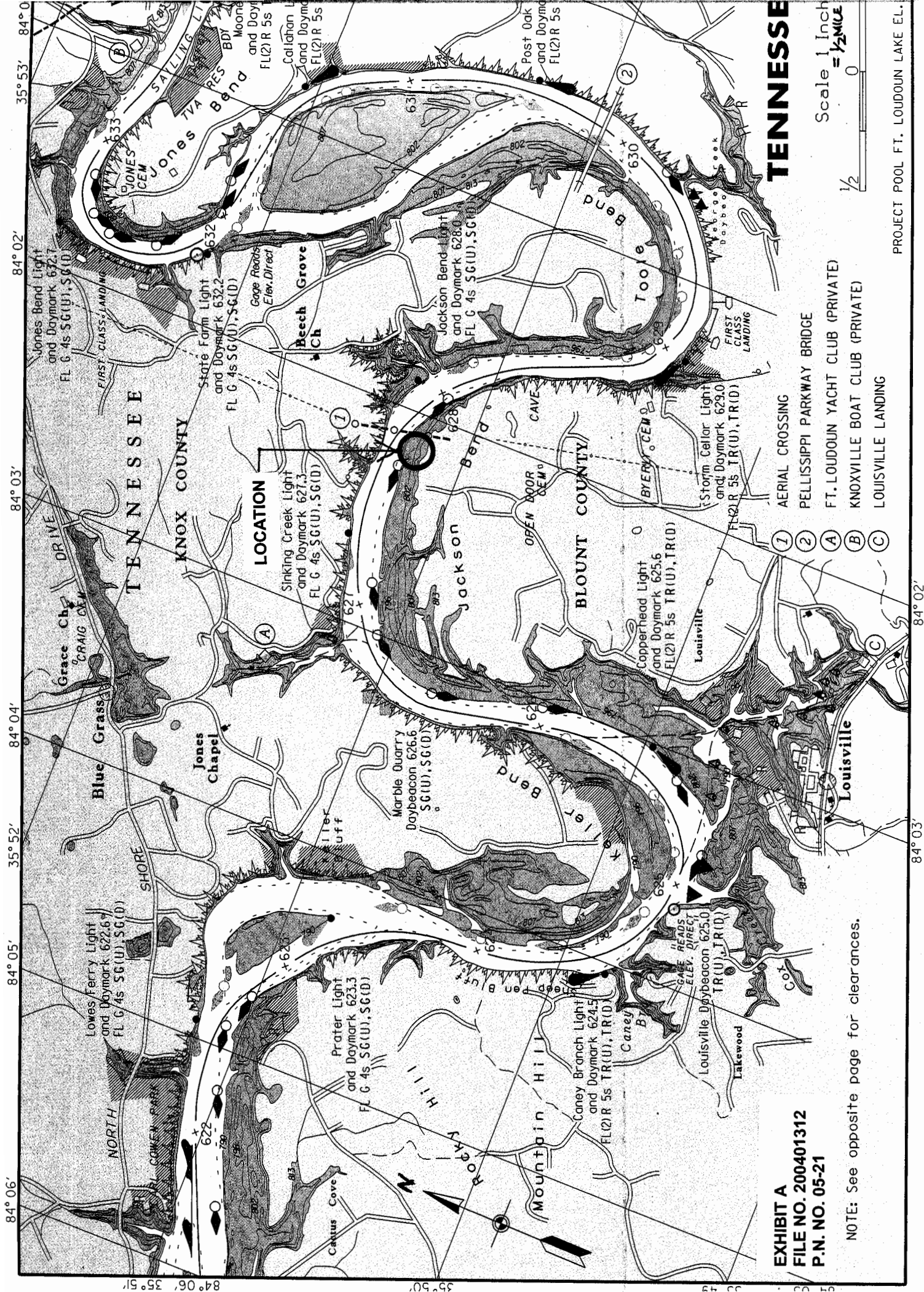


EXHIBIT A
FILE NO. 200401312
P.N. NO. 05-21

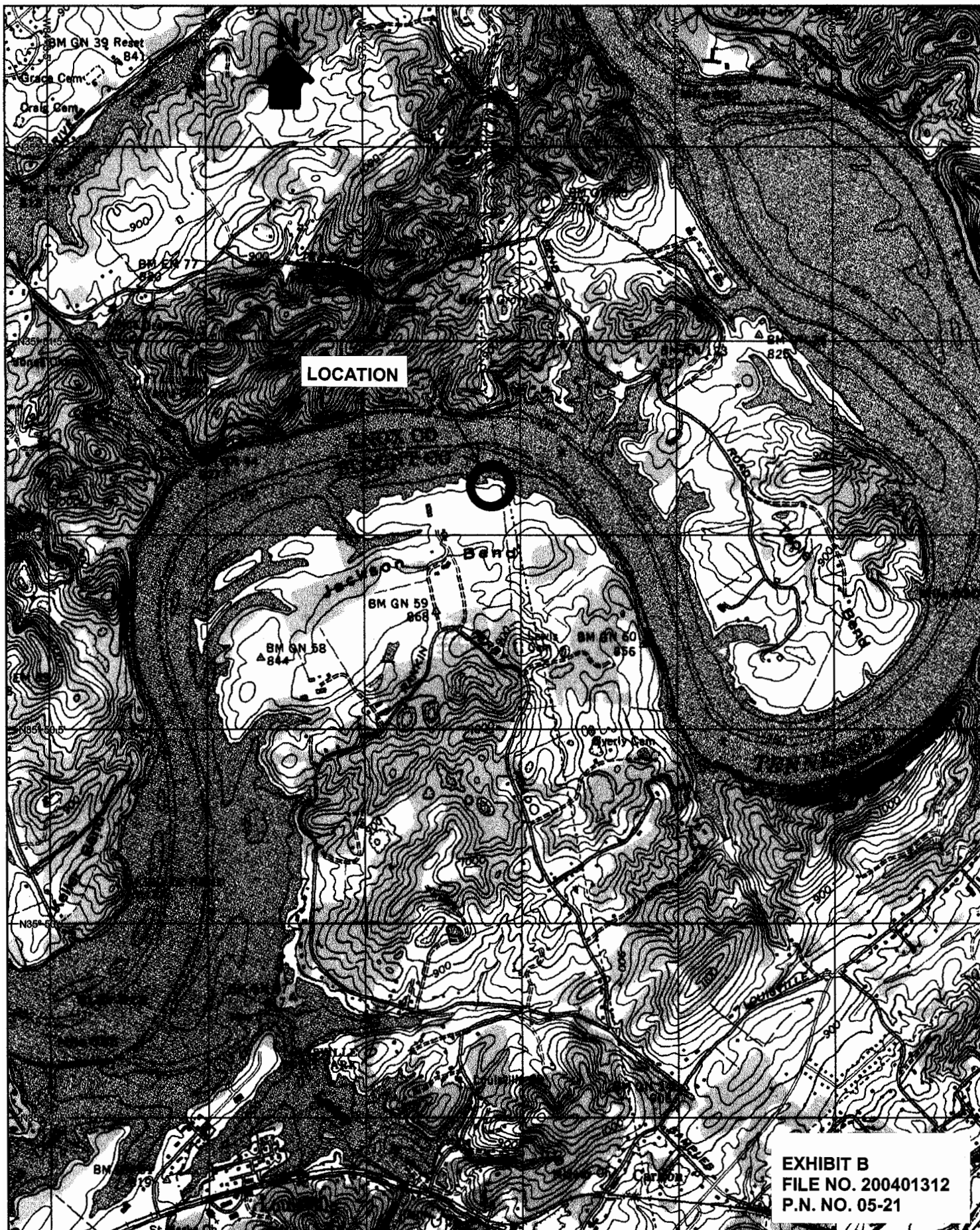
NOTE: See opposite page for clearances.

- 1 AERIAL CROSSING
- 2 PELLISSIPPI PARKWAY BRIDGE
- A FT. LOUDOUN YACHT CLUB (PRIVATE)
- B KNOXVILLE BOAT CLUB (PRIVATE)
- C LOUISVILLE LANDING

TENNESSEE

Scale 1 Inch
= 1/2 MILE

PROJECT POOL FT. LOUDOUN LAKE EL.



LOCATION

EXHIBIT B
FILE NO. 200401312
P.N. NO. 05-21



SINCE 1979

STERLING
ENGINEERING, INC.
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING
LAND PLANNING
1017 HAMPSHIRE DRIVE
MARYVILLE, TENNESSEE
37801-3525
PHONE: VOL-984-3905
FAX: VOL-981-2815
www.sterling.us.com

EXHIBIT D
COMMUNITY PARKING
LASHBROOKE
FOR SLIPS
THE LASHBROOKE CORP., LOUISVILLE, TN

EXHIBIT
EX.1.3
SHEET
DESIGNED: RNR
DRAWN: WAK
CHECKED:
DATE: 12/29/04
SCALE: 1" = 50'
DRAWING: 5161TVA_exhibit
PROJECT NO: SEI#5161

NOTE:
1. DREDGE MATERIAL TO BE PLACED ON PROPERTY ABOVE 822 ELEVATION AS FILL.
2. DREDGING WILL BE PERFORMED FROM SHORE WITH DRAG LINE EQUIPMENT.
3. DOCK CONSTRUCTION WILL BE PERFORMED FROM SHORE.
4. DOCK OWNERSHIP TO BE CONVEYED TO LASHBROOKE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH COVENANTS.

LEGEND:

- CB CATCH BASIN (DESIGN)
- JB JUNCTION BOX (DESIGN)
- BOUNDARY LINE
- PHASE LINE
- ROAD RIGHT-OF-WAY LINE
- LOT LINE
- PARCEL LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- ROAD CENTERLINE
- EDGE OF ROAD
- CONCRETE CURB
- CORRUGATED METAL PIPE (CMP)
- TVA POWER LINE
- RETAINING/HEAD WALL
- EXISTING INTERMEDIATE CONTOUR
- DESIGN INTERMEDIATE CONTOUR
- DESIGN INDEX CONTOUR

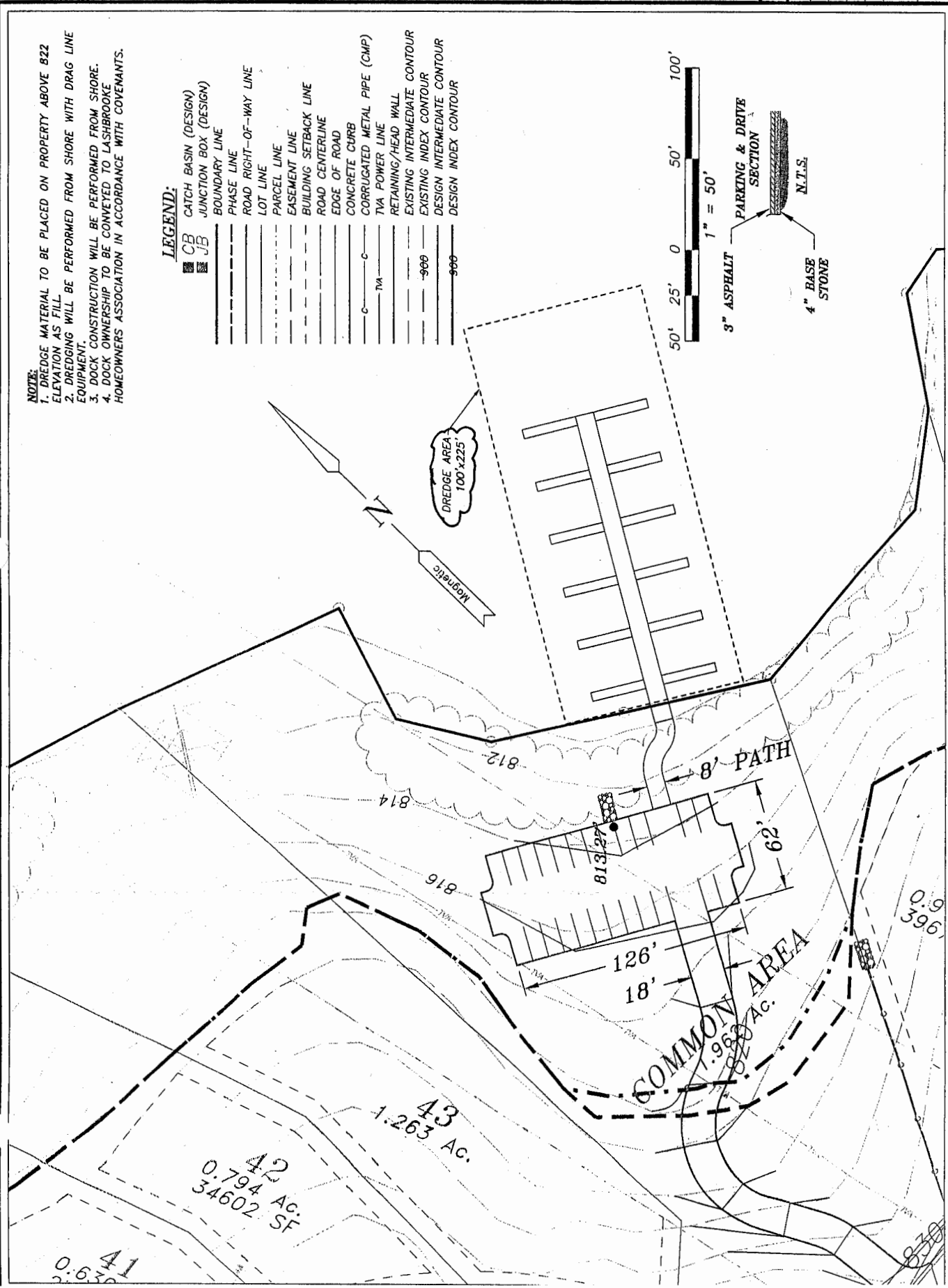
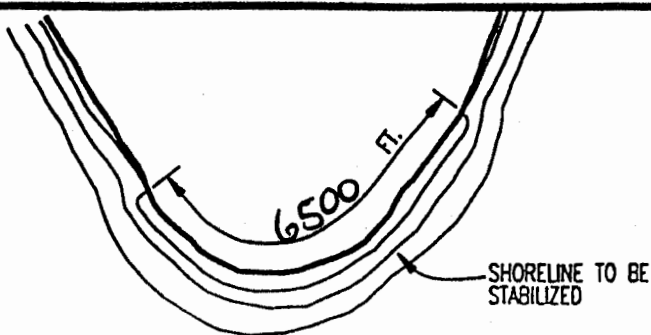
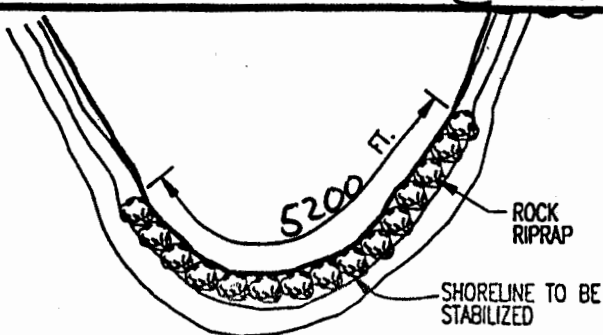


EXHIBIT D
FILE NO. 200401312
P.N. NO. 05-21

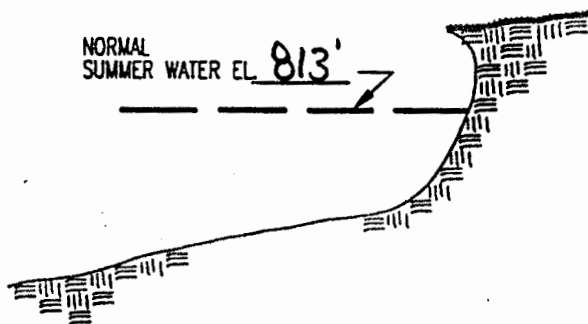
Item 1



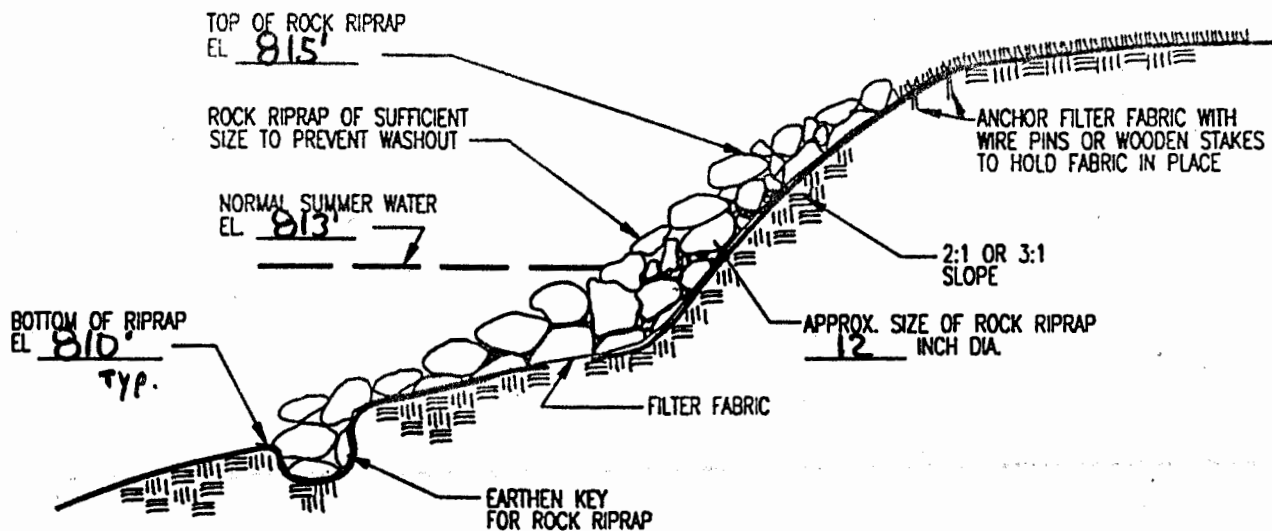
**PLAN SHOWING
EXISTING SHORELINE**



**PLAN SHOWING
STABILIZED SHORELINE**



SECTION SHOWING EXISTING SHORELINE



SECTION SHOWING STABILIZED SHORELINE

THE NORMAL SUMMER WATER LEVEL IS:

813'

NOTE:

INCLUDE ALL DIMENSIONS AND ELEVATIONS WHERE INDICATED.



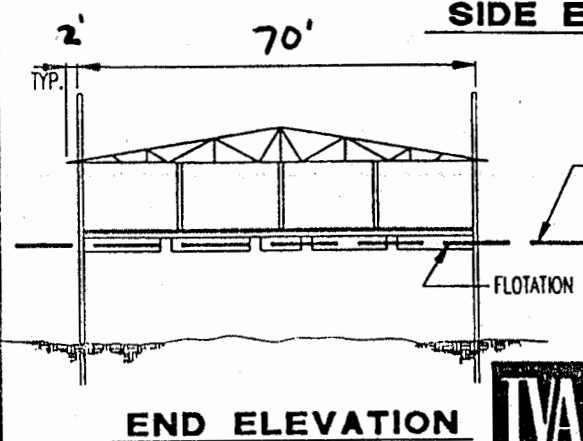
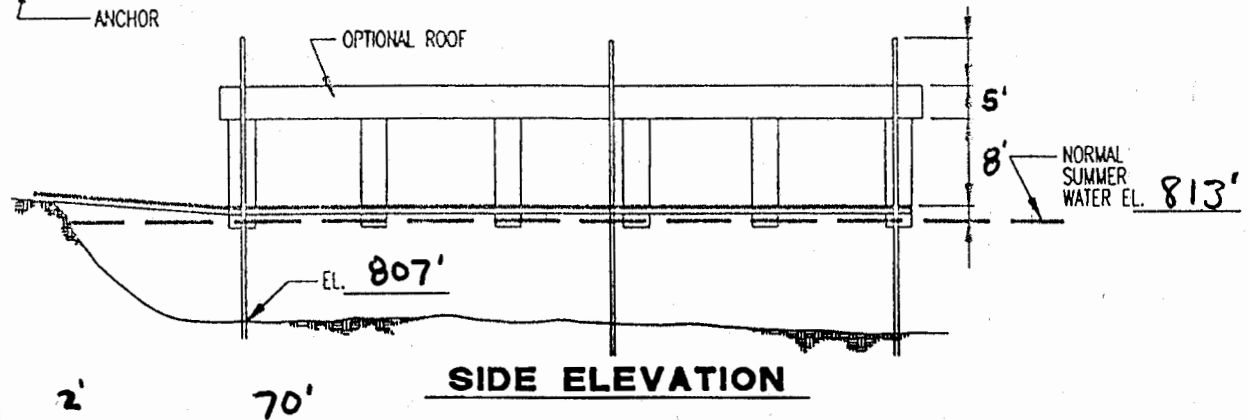
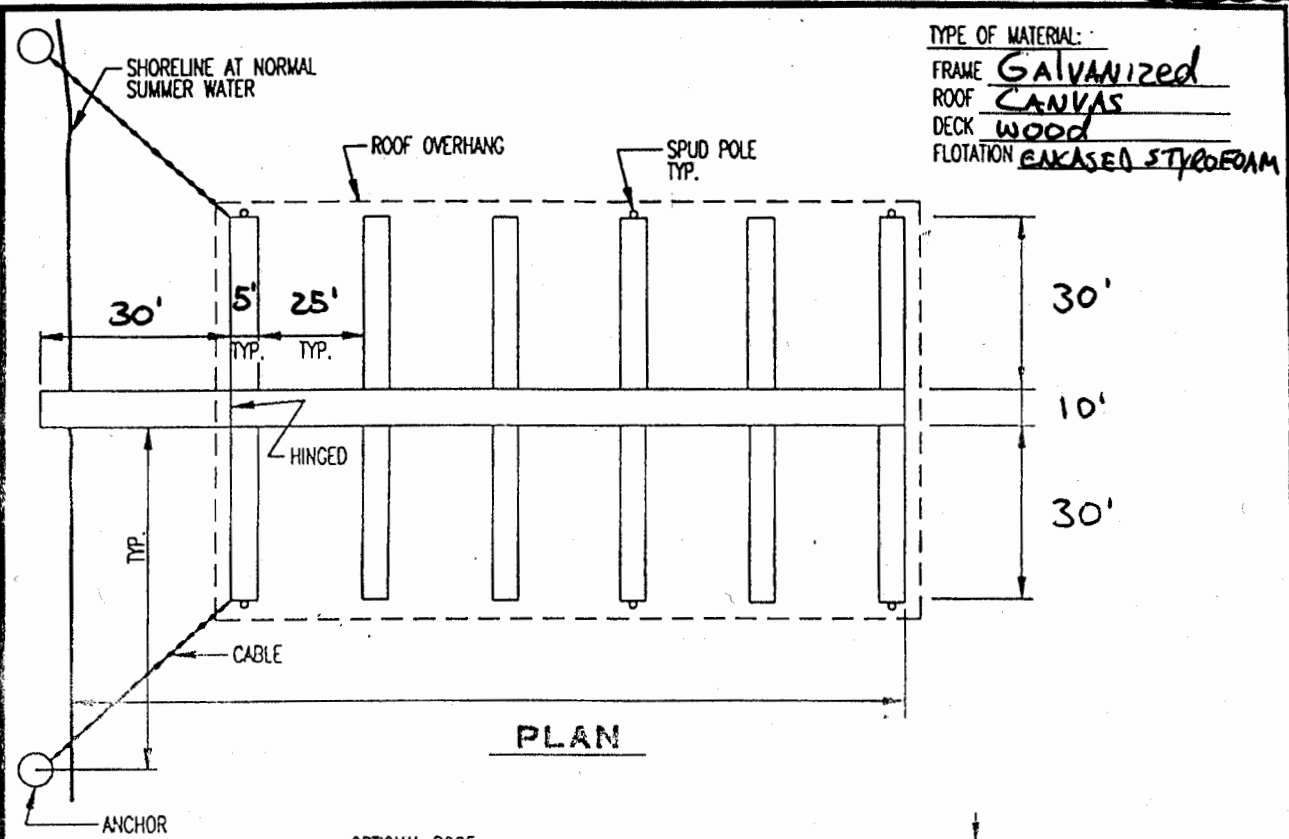
TYPICAL SHORELINE ROCK RIPRAP

PROJECT LOCATION INFORMATION:

STREAM NAME _____ SUBDIVISION NAME Lashbrooke
RESERVOIR NAME Loudon LOT NUMBER Multiple
MILE MARKER 628 MAP NO. 7.5 MIN topo 138-SE

(APPLICANT'S NAME)

EXHIBIT E
FILE NO. 200401312
P.N. NO. 05-21

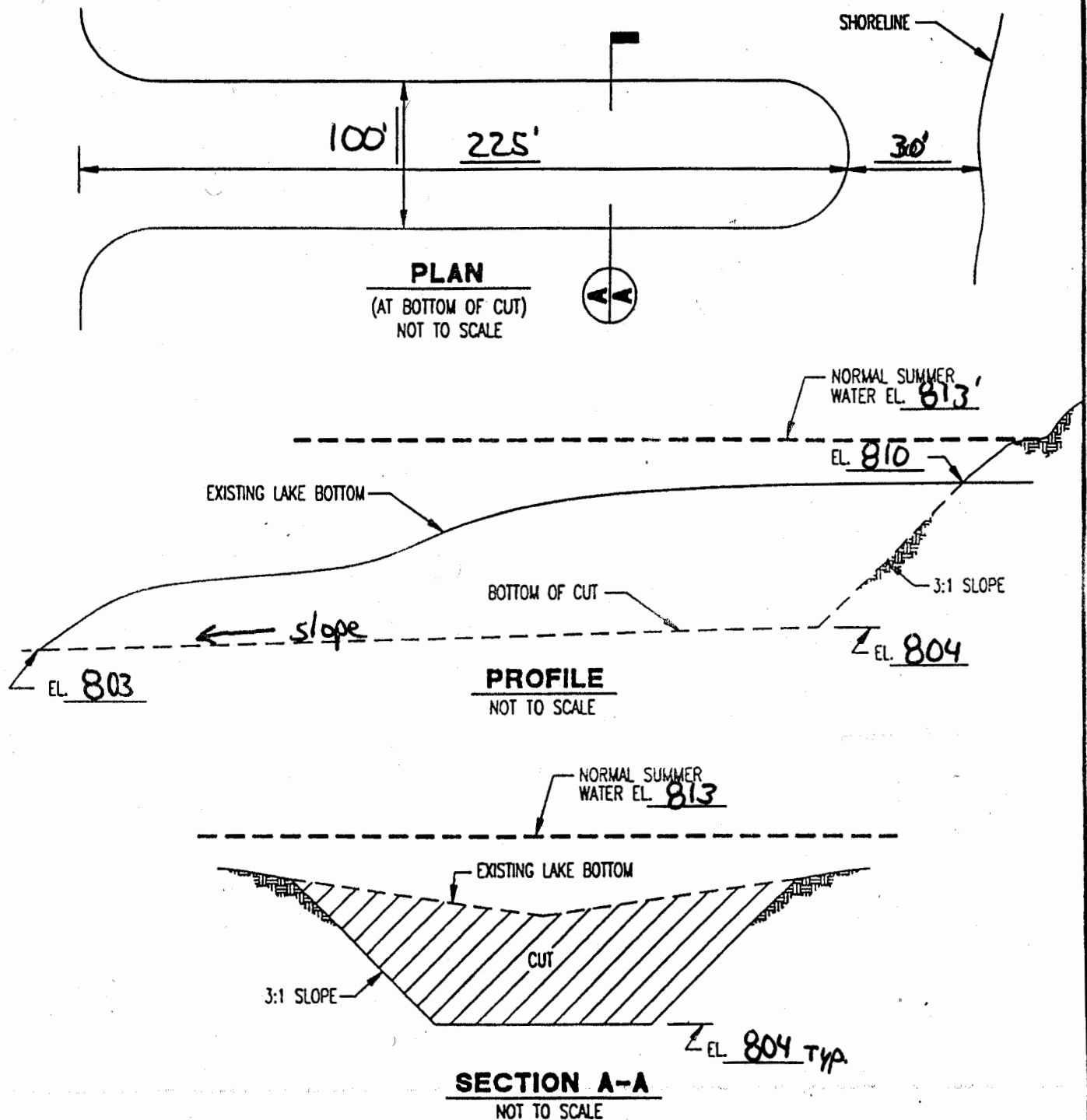


THE NORMAL SUMMER WATER LEVEL IS:

813'

NOTE:
INCLUDE ALL DIMENSIONS AND ELEVATIONS
WHERE INDICATED.

TVA		TYPICAL MARINA MULTIPLE SLIP OR COMMUNITY DOCK	
PROJECT LOCATION INFORMATION:			
STREAM NAME		SUBDIVISION NAME	<u>Lashbrooke</u>
RESERVOIR NAME	<u>Loudon</u>	LOT NUMBER	<u>COMMON AREA</u>
MILE MARKER	<u>628</u>	MAP NO.	<u>7.5 MIN TOPO 138-SE</u>
(APPLICANT'S NAME)			



ESTIMATED CU. YDS. OF SPOIL TO BE REMOVED: 3400

THE NORMAL SUMMER WATER LEVEL IS:

813'

NOTE:

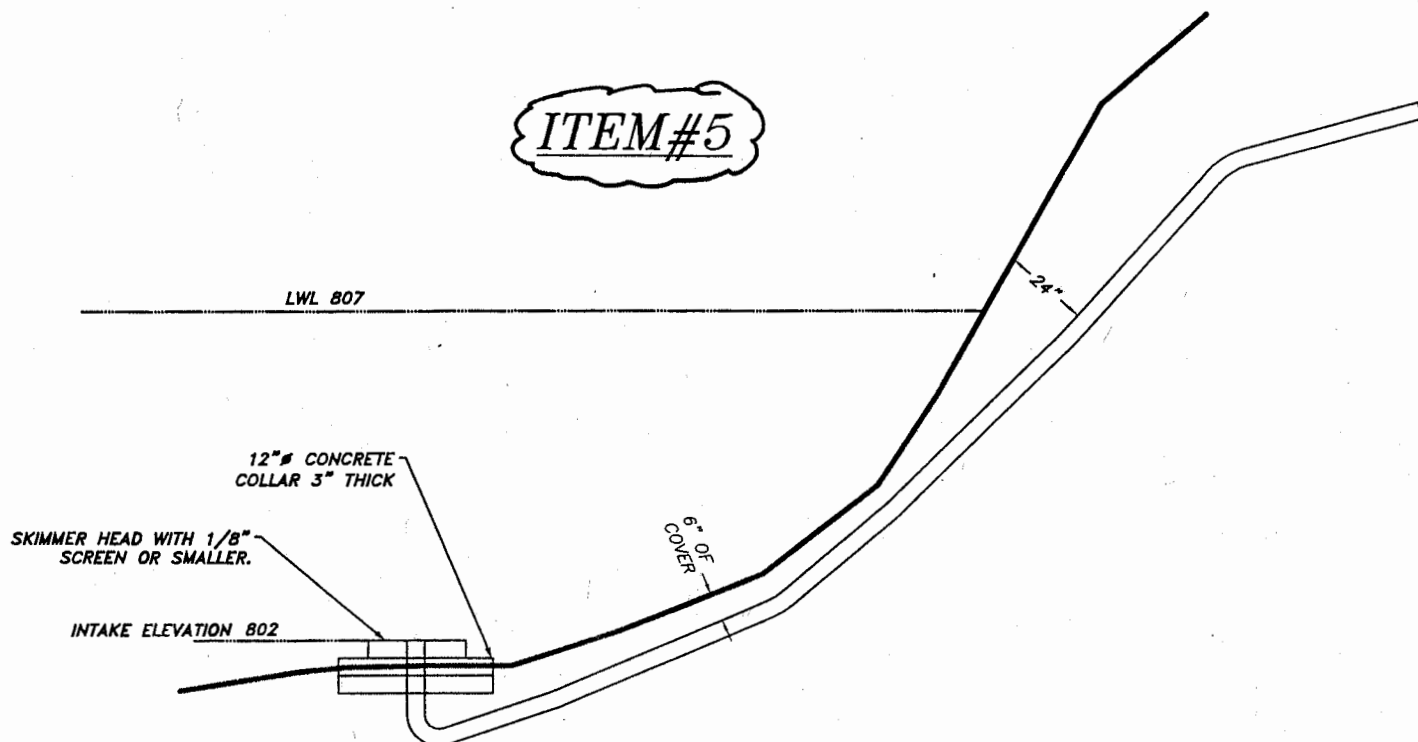
INCLUDE ALL DIMENSIONS AND ELEVATIONS WHERE INDICATED.

EXAMPLE OF PROPOSED CHANNEL DREDGE	
PROJECT LOCATION INFORMATION:	
STREAM NAME	RESERVOIR NAME <u>Loudon</u>
MILE MARKER <u>628</u>	MAP NO. <u>7.5 MIN Topo 138 SE</u>

EXHIBIT G
FILE NO. 200401312
P.N. NO. 05-21

E) Lashbrooke Corp.

ITEM#5



NOTE:
INTAKE ELEVATION HIGHER THAN
802 AND NOT UNDER DOCK
WILL REQUIRE HAZARD BOUY.

POND PUMP INTAKE DETAIL

N.T.S.